

POLICY



No. 6100

Annual Budget

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

ANNUAL BUDGET

The school budget is the legal basis for the establishment of the tax levy. It is the official document that describes the programs to be conducted during a given period of time. It is the operational plan, stated in financial terms, for the conduct of all programs in the school system.

The annual school budget process is important to school district operations and serves as a means to improve communications within the school organization and with the residents of the school community.

The budget will be presented to the public in three components (to be voted upon as one proposition):

1. *a program component*, which includes all program expenditures of the district, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
2. *a capital component*, which includes all transportation capital, debt service and lease expenditures; costs resulting from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the district, including facilities lease expenditures, annual debt service and total debt for all facilities financed by bonds and notes of the district, and costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that the budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the district, and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repair of school facilities;
3. *an administrative component*, which includes office and central administrative expenses, traveling expenses, and all compensation, salaries and benefits of all school administrators and supervisors, all expenditures associated with the operation of the school board, the office of the Superintendent of Schools, general administration, the school business office, any consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

In addition, each component must be separately delineated in accordance with Regulations of the Commissioner. The budget will categorize revenues, property tax refunds, expenditures, budget transfers and fund balance information, and will be formatted to show changes in the data as compared with the previous year. Finally, the budget will be written in plain language and organized in a manner which best promotes the public's understanding of its contents.

The budget will be completed at least seven days before the public hearing at which the Board will present the budget to the voters. Copies of the budget will be made available upon request to residents within the district (not just district taxpayers) during the 14 days preceding the date of the

annual election and budget vote at each school building in the district, at the school district offices, and at any public library or free association library within the district, between the hours of 9:00 a.m. and 5:00 p.m. on each day other than Saturday, Sunday or holidays, as well as on the school district's internet website. In addition, at least once during the school year, the Board will include in a district-wide mailing, notice of the availability of copies of the budget.

The following documents will be attached to the budget:

- a detailed statement of the total compensation to be paid to the Superintendent of Schools, and any assistant or associate superintendent in the coming school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- a list of all other school administrators and supervisors, if any, whose annual salary will be at or above the amount designated by the State Education Department in the coming year, along with their title and annual salary;
- a school district report card detailing the academic and fiscal performance of the district; and
- a property tax report card prepared pursuant to the Education Law and the Regulations of the Commissioner of Education, including information on the tax levy limit.

If the proposed budget increases the property tax levy by more than the statutorily imposed limit, it requires a supermajority of 60% in order to pass.

The Board may not submit the proposed budget or a related proposition to the voters more than twice. If the voters fail to approve the proposed budget or budget proposition after the second submission, or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy of 0% increase (i.e., less than or equal to the tax levy of the previous year).

The Board may use district monies to present educational and informational material about the annual budget and related information to the voters. It shall not, however, use these funds to urge voters to cast their ballots in a particular fashion.

Ref: Education Law §§1608; 1716; 1804(4); 1906(1); 2008(2); 2021; 2002(1); 2022(2); 2023; 2023-a; 2035(2); 2601-a

General Municipal Law §36

Phillips v. Maurer, 67 NY2d 672 (1986)

Fiscal Management (NYSSBA, 1997)

Hartman, William T., "Participatory Budgeting in High School", *Planning and Changing*, Spring 1989, vol. 20, no. 1.

Update Adopted: November 20, 2014

POLICY



No. 6110

Budget Planning and Development

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

BUDGET PLANNING AND DEVELOPMENT

The Superintendent of Schools, with the assistance of the School Business Official or other staff members as the Superintendent deems appropriate, shall be responsible for preparation of the budget. This shall include developing a budget calendar in accordance with regulation 6110-R, and adhering to that calendar. The budget calendar shall be approved by the Board of Education in advance of the preparation of the district's annual budget.

The budget shall be designed to reflect the Board's objectives for the education of the children of the district. It shall be carefully organized and planned to provide adequate accounting for each program expenditure, understanding of the financial needs of anticipated program developments, and be within the financial limitations of the district, taking into consideration the statutory limits on the tax levy, and the possibility of voters overriding the limit if necessary. To assist in budget and long-range planning, ongoing studies of the district's educational programs will include estimates of the fiscal implications of each program.

The budget for the ensuing school year shall be thoroughly reviewed by the Board before its presentation to the voters for final adoption.

Cross-ref: 2260, Citizens Advisory Committees

Ref: Education Law §§1608(2)-(4); 1716(2)-(4); 1804(4); 1906(1); 2002(1); 2003(1); 2004(1); 2022(2); 2023; 2023-a; 2601-a

Fiscal Management (NYSSBA, 1997)

Update Adopted: November 20, 2014

POLICY



No. 6110-R

Budget Planning and Development Regulation

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

BUDGET PLANNING AND DEVELOPMENT REGULATION

Final approval of the tentative budget rests with the Board of Education. The Superintendent of Schools and such members of his/her staff as he/she shall deem necessary, shall be prepared to explain and justify the budget to the Board. Final authorization of the budget rests with the voters of the district.

The proposed budget shall be presented to the voters of the district for adoption on the third Tuesday in May, unless, due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election and budget to the second Tuesday in May. Such a request is due to the Commissioner by March 1st.

The budget calendar prepared by the Superintendent of Schools shall include:

- A schedule which sets forth all important meetings and dates, including deadlines for budget proposals from within the District;
- Commencement dates and deadlines for certain budgetary tasks such as the estimation of all revenues and income expected to be received by the District;
- Events such as the preliminary dates for the Board of Education's consideration of the tentative budget.

The budget calendar will also set forth the name of every individual (or their title) who is assigned to perform a particular task with regard to the development of the budget.

As part of the budget planning process, the Superintendent or School Business Official will evaluate:

- the educational philosophy, goals and objectives of the District and their modification where required;
- the District education program and support systems such as transportation and business affairs;
- census and enrollment projections;
- debt service schedules;
- estimated revenue from sources other than the property tax, such as state and federal aid.

Individuals desiring to submit questions, propositions, or amendments to be placed on the ballot shall conform to the following requirements:

1. petitions must be filed with the District Clerk at least 30 days prior to the annual meeting and election, except for petitions relating to a proposition which must be included in the notice of the

annual meeting (e.g., changing the number of board members). Such petitions must be submitted 60 days in advance of the annual meeting and election to facilitate the preparation and printing of the ballots;

2. unless otherwise required by the Education Law, said propositions shall be supported by petitions containing signatures of 25 qualified voters or 5 percent of the number of eligible voters who voted in the previous annual election of members of the Board of Education, whichever is greater;
3. the proposition shall be stated clearly and concisely and is subject to revision as to length and form by the Board, while considering same for placement on the voting machine; and
4. any propositions which require the expenditures of monies must include the necessary specific dollar appropriation. Any proposition may be rejected by the Board if it fails to include the necessary specific appropriation and/or is not within the power of the voters.

Cross-ref: 1050, Annual District Meeting and Election
6100, Annual Budget
6110, Budget Planning
6120, Budget Hearing

Ref: Education Law §§1804(4); 1906(1); 2002; 2003(1); 2004(1); 2013; 2017; 2022(1); 2023;
2601-a

Adoption date: November 20, 2014

POLICY



No. 6120

School District Budget Hearing

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

SCHOOL DISTRICT BUDGET HEARING

The Board of Education will hold an annual budget hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The budget hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Notice of the date, time and place of the annual budget hearing will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

All School District budgets which are submitted for voter approval shall be presented in three components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

The Board of Education will also prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation, and a Property Tax Report Card prepared in accordance with law and Commissioner's Regulations.

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents.

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The availability of this budget information shall be included in the legal notice of the Annual and/or Special District Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual and/or Special District Meeting. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Budget Notice

The School District shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The School Budget Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Indexes from January first of the prior school year to January first of the current school year.

The Budget Notice shall include a description of how total spending and the tax levy resulting from the proposed budget would compare with a projected contingency budget, assuming that such contingency budget is adopted on the same day as the vote on the proposed budget. Such comparison shall be in total and by component (i.e., program, capital and administrative), and shall include a statement of the assumptions made in estimating the projected contingency budget.

The Notice shall also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of one hundred thousand dollars under the existing School District budget as compared with such savings under the proposed budget.

The Notice shall also set forth the date, time and place of the budget hearing and that a copy of such statement may be obtained by any resident of the District at each school house in the District which the school has maintained during certain designated hours on each day other than a Saturday, Sunday, or holiday during the fourteen (14) days immediately preceding such meeting, and the Board of Education shall include a notice of availability of such statement at least once during the school year in any District-wide mailing distributed.

The Notice shall also set forth the date, time and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice shall be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement

Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), and 2601 a(2)

Election and Budget Vote

Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5) and (6), 2022(1), and 2601 a(2)

Budget Development and Attachments

Education Law Sections 1608(3), (4), (5), (6), and (7); and 1716(3), (4), (5), (6), and (7); 2022(2-a); and 2601-a(3)

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Update Adopted: November 20, 2014

POLICY



No. 6130

Budget Adoption

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

BUDGET ADOPTION

Final approval of the tentative budget rests with the Board of Education. The Superintendent of Schools and such members of his/her staff as he/she shall deem necessary, shall be prepared to explain and justify the budget to the Board. Final authorization of the budget rests with the voters of the district.

The proposed budget shall be presented to the voters of the district for adoption on the third Tuesday in May, unless, due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election and budget to the second Tuesday in May. Such a request is due to the Commissioner by March 1st.

Individuals desiring to submit questions, propositions, or amendments to be placed on the ballot shall conform to the following requirements:

1. petitions must be filed with the District Clerk at least 30 days prior to the annual meeting and election, except for petitions relating to a proposition which must be included in the notice of the annual meeting (e.g., changing the number of board members). Such petitions must be submitted 60 days in advance of the annual meeting and election to facilitate the preparation and printing of the ballots;
2. unless otherwise required by the Education Law, said propositions shall be supported by petitions containing signatures of 25 qualified voters or 5 percent of the number of eligible voters who voted in the previous annual election of members of the Board of Education, whichever is greater;
3. the proposition shall be stated clearly and concisely and is subject to revision as to length and form by the Board, while considering same for placement on the voting machine; and
4. any propositions which require the expenditures of monies must include the necessary specific dollar appropriation. Any proposition may be rejected by the Board if it fails to include the necessary specific appropriation and/or is not within the power of the voters.

Cross-ref: 1050, Annual District Meeting and Election
6100, Annual Budget
6110, Budget Planning
6120, Budget Hearing

Ref: Education Law §§1804(4); 1906(1); 2002; 2003(1); 2004(1); 2013; 2017; 2022(1); 2023;
2601-a

Update Adopted: November 20, 2014

POLICY



No. 6140

Administration of the Budget

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

ADMINISTRATION OF THE BUDGET

The Superintendent of Schools, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.

- a) He/she shall acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.
- b) Under his/her direction the District shall maintain such records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and such other procedures as are deemed necessary and shall keep the various operational units informed through periodic reports as to the status of their individual budgets.
- c) Claims Auditor approval is required prior to the expenditure of District funds.

Update Adopted: November 20, 2014

POLICY



No. 6150

BUDGET TRANSFERS

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

BUDGET TRANSFERS

The transfer of funds between and within functional unit appropriations of the General Fund is commonly required during the school year. The Superintendent of Schools designates the Assistant Superintendent of Finance & Operations to make budget transfers within the same ST-3 code, and the Assistant Superintendent of Finance & Operations must submit written monthly reports to the Superintendent of Schools regarding all budget transfers. The Superintendent of Schools, in accordance with the Regulations of the Commissioner of Education, is authorized to make budget transfers between line item accounts, so long as the transfer for any one item does not exceed \$30,000. All transfers between line item accounts in excess of \$30,000 require prior Board of Education approval. The Superintendent will report all transfers to the Board of Education as an information item on a monthly basis.

Ref: Education Law §1718
8 NYCRR §170.2(l)

Adoption date: March 21, 2023

POLICY



No. 6212

6212 Fund Balance Policy

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

6212 FUND BALANCE

PURPOSE

The Governmental Accounting Standards Board (GASB) released Statement 54 -"Fund Balance Reporting and Governmental Fund Type Definitions" which is effective for fiscal year ending June 30, 2011. This new Statement is intended to improve the usefulness of the amount reported in fund balance by providing more structured classification. This Statement applies to fund balance reported in the General Fund, Special Revenue Fund, Debt Service Fund, Capital Projects Fund and Permanent Fund. This Statement does not apply to Enterprise Funds, Internal Service Funds, and extremely restricted reserves. The Board of Education recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the school district and is fiscally advantageous for both the district and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the district.

DEFINITIONS

Previously fund balance was classified as "reserved" or "unreserved." Unreserved fund balance may be further allocated into designated and undesignated. GASB 54 will change how fund balance is reported. Fund balance is a measurement of available financial resources and represents the differences between total assets and total liabilities in each fund. The hierarchy of five possible GASB 54 classifications is as follows:

- **Non-spendable Fund balance** includes amounts not in spendable form, such as inventory, or amounts required to be maintained intact legally or contractually (principal endowment) (e.g. inventory, pre-paid items, permanent scholarships).
- **Restricted Fund Balance** includes amounts constrained for a specific purpose by external parties (e.g. Debt Service, Capital Projects, State and Federal Grant Funds).
- **Committed Fund Balance** includes amounts constrained for a specific purpose by a government using its highest level of decision making authority. Amounts cannot be used for any other purpose unless the District takes the same highest-level action to remove or change the constraint.
- **Assigned Fund Balance** includes general fund amounts constrained for a specific purpose by a governing board or by an official that has been delegated authority to assign amounts.
- **Unassigned Fund Balance** is the residual classification for the general fund. Amounts available for consumption are not restricted in any manner. These amounts are reported only in the General Fund.

In addition, governments will be required to disclose more information in the notes to financial statements about amounts reported in fund balance as follows:

- Description of authority and actions that lead to committed or assigned fund balance
- Government's policy regarding order in which restricted, committed, assigned, and unassigned amounts are spent
- Description of formally adopted minimum fund balance policies
- The purpose of each major special revenue fund
- Encumbrances, if significant

GUIDELINES

Fund balance measures the net financial resources available to finance expenditures of future periods. The District's Unassigned General Fund Balance will be maintained to provide the District with sufficient working capital and a margin of safety to address local and regional emergencies. Furthermore, the fund balance of the Westbury School's General Fund has been accumulated to provide stability and flexibility and to respond to unexpected adversity and/or opportunity. The Unassigned General Fund Balance may only be appropriated by resolution of the Board of Trustees.

The target is to maintain an unassigned fund balance of 4%, consistent with law, of the estimated annual operating expenditures for the ensuing fiscal year. The Westbury School's basic goal is to maintain annual expenditure increases at a growth rate, and to limit expenditures to anticipated revenue in order to maintain a balance budget. The decision to retain an unrestricted fund balance of 4% of the expended expenditures stems from the need to support normal operating costs for the district and provide fiscal stability.

The order by which the district will spend restricted and unassigned fund balance will be evaluated on an annual basis based on the current financial conditions. Reserves currently existing in the District include:

Reserve for Workers' Compensation — used to pay for compensation benefits and other expenses authorized by Article 2 of the Workers' Compensation Law, and for payment of expenses of administering this self-insurance program. This reserve is evaluated on an annual basis and updated based on reports received from third-party services providers.

Reserves of Unemployment Insurance — used for liability for payments in lieu of contributions under article eighteen of the labor law for payments to the unemployment insurance fund.

Reserve for Retirement Contribution — used for the purpose of financing retirement contributions. This reserve is evaluated on an annual basis by reports received for the New York State Employees Retirement System.

Reserve for Employee Benefit Accrued Liability — used to reserve funds for the payment of accrued employee benefit due an employee upon termination of the employee's service. This reserve is evaluated by the Business Office on an annual basis based upon reports by the financial accounting system.

Reserve for Property Loss — used for unsettled claims in connection for losses for which such funds were established or to pay the premiums for insurance policies purchased to insure subsequent losses in the event of dissolution of a self insurance plan. Separate funds shall be established for property loss.

Reserve for Liability — used for used for unsettled claims in connection for losses for which such funds were established or to pay the premiums for insurance policies purchased to insure subsequent losses in the event of dissolution of a self insurance plan. Separate funds shall be established for liability claims.

Reserve for Insurance — used for used for unsettled claims in connection for losses for which such funds were established or to pay the premiums for insurance policies purchased to insure subsequent losses in the event of dissolution of a self insurance plan. Separate funds shall be established for property loss or liability claims.

Reserve for Repairs — used for current repairs of capital improvements.

DELEGATION OF RESPONSIBILITY

The Assistant Superintendent for Business and Management Services or designee shall be responsible for the analysis and reporting to the Board of Education and the subsequent enforcement of this policy.

References:

School Code — 24 P.S. Sec. 2-218, Sec 6-688

GASB 54

General Municipal Law 6d, 6j, 6m, 6n, 6p.

Education Law 1709;8c

Adopted: October 20, 2011

POLICY



No. 6240

Investments

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

INVESTMENTS

SCOPE

- I. This investment policy applies to all monies and other financial resources available for investment on behalf of the Westbury Union Free School District ("School District").

OBJECTIVES

- II. The primary objectives of the Board of Education ("Board") investment activities are,
 1. To conform with all applicable federal, state and other legal requirements (Legal);
 2. To adequately safeguard principal (Safety);
 3. To provide sufficient liquidity to meet all operating requirements (Liquidity); and
 4. To obtain a reasonable rate of return (Yield).

DELEGATION OF AUTHORITY

- III. The Board's responsibility for administration of the investment program is delegated to the Superintendent who shall establish written procedures for the appointed Treasurer for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base incorporating description and amount and type of investment, transaction dates, and other relevant information to regulate the activities of the subordinate employees.

PRUDENCE

- IV. All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Board to govern effectively.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

- V. It is the policy of the School District to diversify its deposits and investments by financial institutions and by maturity scheduling.

INTERNAL CONTROLS

- VI. It is the policy of the School District for all monies collected by any officer or employee of the School District to transfer those funds of less than \$1,000 to the Treasurer within five business days of receipt or within the time period specified by the Law, whichever is shorter. Funds over \$1,000 should be transferred immediately.

The Superintendents of Schools or School Business Administrator is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

DESIGNATION OF DEPOSITARIES

- VII. The banks and trust companies authorized for the deposit of monies up to the maximum amounts will be decided annually at the Reorganization Meeting.

COLLATERALIZING OF DEPOSITS

- VIII. In accordance with the provisions of General Municipal Law, §10, all deposits of the School District including certificate of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

By a pledge of "eligible securities" with an aggregate "market value," as provided by GML §10, equal to the aggregate amount of deposits from the categories designated below:

- i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public monies.

SAFEKEEPING AND COLLATERALIZATION

- IX. Eligible securities used for collateralizing deposits shall be held by the depositories and/or third party bank or trust companies subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the School District deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities

may be sold, presented for payment, substituted or released and the events which will enable the School District to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the School District; such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the School District or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodial for, the School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation, of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the School District a perfected interest in the securities.

PERMITTED INVESTMENTS

- X. As authorized by General Municipal Law, §11, the School District authorizes the Treasurer to invest monies not required for immediately expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposits;
- Obligations of the United States of America;
- Obligations issued by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;

All investment obligations shall be payable or redeemable at the option of the School District with such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the School District within two years of the date of purchase.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

- XI. The School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the School District conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the School District. Security deals not affiliated with a bank shall be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

PURCHASING OF INVESTMENTS

- XII. The Superintendent of Schools, School Business Administrator or Treasurer are authorized to contract for the purchase of investments:
1. Directly, including through a repurchase agreement, from an authorized trading partner.
 2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the

requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board.

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Board.

All purchased obligations, unless registered or inscribed in the name of the School District, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented by redemption or payment by such bank or trust company only in accordance with prior written authorization from officers authorized to make the investment. All such transactions shall be confirmed in writing to the School District. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. The agreement shall include all provisions necessary to provide the School District a perfected interest in the securities.

REPURCHASE AGREEMENTS

XIII. Repurchase agreements are authorized subject to the following restrictions:

- i. All purchase agreements must be entered into subject to a Master Repurchase Agreement.
- ii. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- iii. Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- iv. No substitution of securities is allowed.
- v. The custodian shall be a party other than the trading partner.

ANNUAL REVIEW

XIV. This policy shall be reviewed annually by the Board of Education and reaffirmed at the Annual Reorganization Meeting.

Ref: Education Law §§1604-a; 1723-a; 3651; 3652
Local Finance Law §§24.00, 25.00, 165.00
General Municipal Law §§6(d), 6(j); 6 (1-n, p, r); 10; 11; 39

Adoption date: August 21, 2014

POLICY



No. 6640

Capital Assets Accounting and Inventory

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

CAPITAL ASSETS ACCOUNTING AND INVENTORY

The Assistant Superintendent for Business and Management Services shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations and guidelines in this policy.

Property records and inventory records shall be maintained on all land, buildings and equipment under the control of the district in a Fixed Asset System. In order to provide for proper control and conservation of district property, the Assistant Superintendent for Business and Management Services shall maintain inventory records and account for capital expenditures. The intent of these policies is to obtain accountability over assets, provide centralized documentation for insurance purposes, meet financial reporting needs, determine replacement costs and generate asset management information

For purpose of this policy, “fixed assets” shall mean a unit of furniture or furnishings, and instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, and does not lose its identity when incorporated into a more complex unit, is valued above \$2,500 or is defined as theft-sensitive. For purposes of this policy, “theft-sensitive” are those items identified by the Purchasing Department which have a value of \$2,500 or more. Property records of facilities shall be maintained on an ongoing basis. No equipment shall be removed for personal or non-school use.

The Assistant Superintendent for Business and Management Services shall arrange for the annual update of inventory and appraisal of school district property, equipment and materials. The district will maintain a comprehensive fixed assets program requiring periodic inventory of district assets, designed to protect the district against losses which would significantly affect the district’s pupils, patrons, personnel, property, budget or the ability of the district to continue to fulfill its responsibilities. This program will take into consideration requirements of the laws and regulations of the state of New York.

The Assistant Superintendent for Business and Management Services shall develop procedures for the following district inventory needs:

1. Disposal guidelines procedures
2. Recording disposal and relating disposal information to appraisal company procedures
3. Movement of assets from building to building or room to room
4. Assignment of technology equipment to individuals
5. Maintenance and Custodian equipment procedure for replacements parts
6. Tag and Inventory for maintenance equipment
7. A procedure to compare appraisal reports with the district capital asset register
8. Procedure to compare or combine the capital asset register of the district-wide with the inventory of the Director of Technology’s list

An outside evaluation shall be performed at least every four years. Any known discrepancies between the physical inventory and the district's inventory records on file should be traced and explained. On an annual basis the Assistant Superintendent for Business and Management Services shall report any discrepancies to the Board of Education. The school board will be provided with an annual report identifying equipment not accounted for. This equipment will be removed from district property records through school board action along with inventory deemed for disposal.

Inventory Records shall mean an inventory and an itemized list for tracking and controlling property. Assets shall be recorded at initial cost based upon invoice price and shall include all necessary costs incurred to place the asset in service. Incidental costs may include, but not be limited to, shipping, handling, freight, duties, registration fees, installation costs and or insurance costs during transit.

1. All equipment items and materials in excess of \$2,500 and
2. All non-equipment capital assets costing in excess of \$10,000 and
3. Fixed Assets that have a useful life of at least two years and physical characteristics not appreciably affected by use or consumption will be inventoried and recorded on an ongoing basis
4. The following information must be maintained on the equipment/fixed assets inventory:
 - a. Date of acquisition
 - b. Name and description of property
 - c. Serial number or other identification number
 - d. Location (A system of location must be proffered for all property that can be moved from classroom to classroom or building to building based upon educational needs)
 - e. Cost of the asset at acquisition (Gifts must be estimated at fair market value)
 - f. Source of financing or acquisition (General Fund, Federal Fund, gift, etc)
 - g. Estimated useful life
 - h. Date and method of disposal
 - i. Asset Type by Fund, replacement cost, salvage value, if applicable

Capitalization of Assets is an accounting treatment whereby an item is recorded as a long term asset on the balance sheet rather than a consumable expense of the current period.

1. For financial reporting purposes, fixed assets having an estimated useful life at least two years following the date of acquisition will be capitalized.
2. Capitalization thresholds will be applied to individual fixed assets rather than groups of fixed assets.
3. The threshold to be used for fixed assets for capitalization and depreciation for GASB34 reporting purposes shall be \$2,500.
4. Fixed assets costing less than \$2,500 shall be expensed for GASB34 reporting purposes.
5. Donated items will be capitalized as the fair market value on the date of the donation.
6. All assets will be depreciated using the straight-line method of depreciation. Residual value will be considered.
7. Useful lives will be estimated in the year of purchase based upon general guidelines obtained from professional organizations and from the asset's present condition. Depreciation expense will be calculated beginning in the year of acquisition.

Note: Prior Policy 734, 735, 736, By-Laws, GASB 34, Ed Law... NYS Comptroller's Office; Uniform System of Accounts for School Districts

Adoption Date: May 16, 2013

POLICY



No. 6670

Petty Cash/Petty Cash Accounts

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

PETTY CASH/PETTY CASH ACCOUNTS

Petty cash funds shall be established at each school as needed and the District Office for the purchase of materials, supplies or services under conditions requiring immediate payment.

The amount of each fund will not exceed \$100.00. The Board of Education shall appoint a custodian for each petty cash fund who shall administer and be responsible for such fund.

To ensure that these funds are properly managed, the following guidelines shall be followed:

1. Receipts and cash-on-hand must always total the authorized fund amount. All disbursements from such funds are to be supported by receipted bills or other evidence documenting the expenditure.
2. Payments may be made from petty cash for materials, supplies, or services requiring immediate payment.

The District shall reimburse uses of petty cash funds up to the extent of expenditures, with appropriate documentary support and as approved by the claims auditor. Petty cash funds provided for buildings or activities that do not operate during July/August must be closed out by June 30 and reestablished by Board of Education action at the reorganizational meeting of the Board in July.

Cross-ref: 6700, Purchasing

Ref: Education Law §§1604(26); 1709(29)
8 NYCRR §170.4

Adopted: August 21, 2014

POLICY



No. 6685

Medicaid Compliance

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

MEDICAID COMPLIANCE

A. POLICIES

1. It is the policy of the Westbury School District hereinafter referred to as “the District” to require all staff to comply with the Westbury School District’s Code of Ethics and Medicaid Compliance Policy.

B. SCOPE

1. The Board of Education recognizes the importance of detecting and preventing Medicaid fraud, waste and abuse. The purpose of this policy is to set forth the procedures that will be used by the District to respond to reports by employees and others of activity which might violate applicable Medicaid laws or regulations, which includes, but is not limited to, submitting and/or receiving claims in a manner which does not meet the Medicaid program requirements, as applicable.
2. Each employee must act in an ethical manner and adhere to applicable legal requirements in the course of performing their duties on behalf of the District. If an employee becomes aware of any violation of the District’s Medicaid Compliance Policy, this information must be reported to the designated Compliance Officer without delay.
3. The District will provide a hot line telephone number to which calls can be placed to report any violation of the Medicaid Compliance Policy to the Compliance Officer.
4. The Compliance Officer will conduct a reasonable investigation of all credible reports of suspected non-compliance within a timely manner. If an internal investigation results in the discovery of misconduct that may violate applicable laws or regulations, the Compliance Officer will notify the Superintendent of Schools and the Board of Education.

C. COMPLIANCE OFFICER

1. The Board of Education shall appoint a Compliance Officer.
2. The Compliance Officer shall have the authority to oversee and monitor the District’s Compliance Policy; consult outside counsel as deemed legally necessary; conduct internal investigations and audits relating to compliance issues; review all documents and other information relevant to Medicaid compliance activities; and maintain direct contact with the Superintendent of Schools and, when appropriate, the Board of Education.

D. TRAINING

1. The Compliance Officer shall implement a training program to help employees identify, prevent, and report non-compliance in accordance with applicable law. The Board of Education expects all employees to participate in general compliance training upon initial hire by receiving a copy of the Medicaid Compliance Policy. Specialized training will be provided to employees, whose actions directly affect submission and reimbursement of claims, including those involved in dispensing, billing and reimbursement of Medicaid claims.

E. COMMUNICATION

1. This policy will be made available on the District's website. Additionally, hard copies will be made available to new employees during the orientation process and those current employees working in departments that submit and/or receive Medicaid claims. A hot line telephone number will be established by the District and will be shared with the entire Westbury School District where anonymous and confidential good faith reporting of potential compliance issues can be reported for investigation. (516) 918-2373

F. DISCIPLINARY PROCEDURES

1. Any employee of the District who has knowledge of activities that he/she believes may violate a law, rule, or regulation has an obligation to promptly report this matter to the designated Compliance Officer. Reports may be made anonymously and employees will not be penalized for reports made in good faith. Failure to report known violations, failure to detect violations due to negligence or reckless conduct and intentionally making false reports shall be grounds for disciplinary action, which may include termination of employment. The appropriate form of discipline will be case-specific and in accordance with applicable law and/or existing collective bargaining agreements.

G. ROUTINE IDENTIFICATION OF COMPLIANCE RISK AREAS

1. In order to detect and prevent fraud, a qualified party or firm to be designated by the Board, will conduct an initial risk assessment of the District's Medicaid Compliance program. In addition, a qualified party or firm designated by the Board will conduct a compliance audit of the District's Medicaid Program during their external audit engagement.

H. RESPONDING TO COMPLIANCE ISSUES

1. Upon completion of the initial risk assessment conducted by a qualified party or firm to be designated by the Board and the compliance audit conducted by a qualified party or firm to be designated by the Board, the District will develop a Correction Action Plan to address any findings from the audits.

I. POLICY OF NON-INTIMIDATION AND NON-RETALIATION

1. In the Medicaid Compliance Program, the District adopts a policy of non-intimidation and non-retaliation for good faith participation in the compliance program, including but not limited to, reporting potential issues, investigating issues, self-evaluations, audits, remedial actions and reporting to appropriate officials.

Ref:

False Claims Act, 31 U.S.C. §3729, *et seq.*

N.Y. State Finance Law § 187, *et seq.*

N.Y. Social Services Law §145-b

N.Y. Social Services Law §145-c

N.Y. Social Services Law §363-d

N.Y. Labor Law §740

18 NYCRR § 521.1, *et seq.*

Adoption Date: May 15, 2014

POLICY



No. 6700

Purchasing

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

PURCHASING

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except as permitted by state law for procurements:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

General Purchasing Provisions

The Superintendent of Schools, with the assistance of the Purchasing Agent, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the District. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

No Board member, officer or employee of the school District shall have an interest in any contract entered into by the Board or the District, as provided in Article 18 of the General Municipal Law.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District's policies regarding purchasing and from time to time thereafter. The policies must then be adopted by Board resolution. All District policies regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

Cross-ref: 6710, Purchasing Authority
 6741, Contracting for Professional Services

Ref: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)
Education Law §§305(14); 409-i; 1604(29-a); 1709(4-a)(9)(14)(22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a
County Law ,S408-a(2)
Food and Nutrition Service, USDA. Agricultural Products in Child Nutrition Programs; Federal Register Vol. 76, No. 78; 7 CFR Parts 210, 215, 220, 225, and 226 RIN 0584–AE03 (2011)

Adoption date: May 16, 2013

Revision date: August 21, 2014

POLICY



No. 6700-R

Purchasing Regulation

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the District:

I. Definitions

Best value: optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis, and may also take into consideration small businesses or certified minority- or women-owned businesses as defined in State Finance Law §163.

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies or equipment

Public Work Contract: a contract involving services, labor or construction

II. General Municipal Law

The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

III. Competitive Bidding Required

A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The District will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the District will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.
3. The District will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.
4. All advertised bids shall include the following statement required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law."

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the District, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

The Purchasing Agent will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder or a purchase contract bid of best value (as recommended by the Purchasing Agent), who has furnished the required security after responding to an advertisement for sealed bids. In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1). Additional factors may be considered by the District in determining whether a bidder is responsible, including without limitation the bidder's skill, judgment, integrity and prior dealings with the District.

Entities that cannot make this certification may only be awarded the bid if:

1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The District makes a determination, in writing that the goods or services are necessary for the District to perform its functions and that, absent such an exemption, the District would be unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The District will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as a accommodation for a disabled student enrolled in the District, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format.) The District will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the District will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The District will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The District will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The purchasing agent will consult with the Green Guidelines provided by the Office of General Services.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

IV. Exceptions to Competitive Bidding Requirements

The District will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. emergency situations where:
 - a. the situation arises out of an accident or unforeseen occurrence or condition;
 - b. a District building, property, or the life, health, or safety of an individual on District property is affected; or
 - c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the District will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances.

Documentation: The District will maintain records of verbal (or written) quotes, as appropriate;

2. when the District purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state.

Documentation: The District will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. when the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from producers or growers. The amount expended in any fiscal year by the District may not exceed an amount equal to seventy-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the District.

Documentation: The District will maintain documentation consistent with sections 114.3 of the Regulations of the Commissioner of Education;

4. when the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the District may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the District or exceed the current market price.

Documentation: The District will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. when the District purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The District will maintain the legal authorization, Board authorization and market price comparisons; or

6. when there is only one possible source from which to procure goods or services required in the public interest.

Documentation: The District will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other

item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

7. when the District purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals.

Documentation: The District will keep proper documentation in accordance with policy 6741.

8. Geographic Preference Option for the Procurement of Unprocessed Agricultural Products in Child Nutrition Programs

Documentation: The District will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

V. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies in the best interests of the taxpayers. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;
2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the District will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.
3. Requests for Proposals: the District will utilize RFP's to engage professional services providers in accordance with policy 6741.

B. Purchases/Public Work: Methods of Competition to be Used for Non-Bid Procurements; Documentation to be Maintained

The District will require the following methods of competition be used and sources of documentation maintained when soliciting non-bid procurements in the most cost-effective manner possible:

1. Purchase Contracts up to \$20,000
 - a. Contracts from \$100 to \$1,000: Verbal quotes Documentation will include notations of verbal quotes.
 - b. Contracts in excess of \$1,000 to \$20,000: Written quotes.
2. Public Work Contracts up to \$35,000

- a. Contracts from \$1,000 to \$10,000: Verbal quotes Documentation will include notations of verbal quotes.
- b. Contracts in excess of \$10,000 to \$35,000: Written quotes.

VI. Quotes Not Required When Competitive Bidding Not Required

The District will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

VII. Procurements from Other than the "Lowest Responsible Dollar Offeror"

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent, to establish and maintain an internal control structure to ensure, to the best of their ability, that the District's assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and District policies and regulations, and recorded properly in the financial records of the District.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District's regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All District regulations regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the District or any officer or employee of the District.

Adoption date: May 16, 2013

Revision date: August 21, 2014

POLICY



No. 6705

CONTRACT PROVISIONS

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

The District's contracts must contain the applicable provisions described in Part 200 - Contract provisions for Non-Federal Entity Contracts Under Federal Awards.

All contracts made under federal awards must contain provisions covering the following as applicable:

- Contracts for more than the SAT (\$150,000) must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate
- All contracts more than \$10,000 must address termination for cause and convenience including the manner by which it will be affected and the basis for settlement
- Equal Employment Opportunity
- Davis Bacon Act
- Contract Work Hours and Safety Standards
- Right to Inventions Made Under a Contract or Agreement
- Clean Air Act
- Debarment and Suspension
- Byrd- Anti Lobbying Amendment
- Procurement of Recovered Materials

SETTLEMENT OF ISSUES ARISING OUT OF PROCUREMENTS

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

PROTEST PROCEDURES TO RESOLVE DISPUTE

The District maintains protest procedures to handle and resolve disputes relating to procurements and in all instances, discloses information regarding the protest to the awarding agency. The Purchasing Agent is responsible for evaluation and award of the contract. The Purchasing Agent is responsible for completing protest procedures in accordance with state and local law. The position and/or office that reviews the protest should be different than the one that awarded the contract.

Protest procedures should include:

- How potential vendors receive notice of ability to protest;
- What position/office receives the protest;
- What position/office reviews the protest;
- Whether a report of the review is provided to the complainant, and;
- Timeframes for both making the protest and reviewing the protest.

Ref:

- §200.318 General procurement standards
- §200.319 Competition
- §200.320 Methods of procurement to be followed
- §200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms
- §200.322 Procurement of recovered materials
- §200.323 Contract cost and price
- §200.325 Bonding requirements
- §200.326 Contract provisions

Adoption date: April 23, 2020

POLICY



No. 6705-R

CONTRACT PROVISIONS

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

BUDGET/ALLOWABLE USE OF FUNDS/COST PRINCIPLES

RATIONALE

Developing grant budgets must be based on the proposed activities planned and described in the grant application to ensure the intent of the federal program is maintained. Budgeted expenditures must conform to that intent and be allowable under the Omni Circular (2CFR 200) as well as Education Department General Administrative Regulations (EDGAR), described under “Definitions.”

In compliance with 2CFR §200.302(b)(7) and EDGAR, procedures outlined in this section will enable management and staff to ensure the District is in compliance with the allow ability requirements under the terms and conditions of the grant as well as the 2 CFR 200, Subpart E and EDGAR.

POLICY

FRAMEWORK FOR ANALYZING ALLOWABLE COSTS

To determine whether a cost is allowable under the program, staff must become familiar with the requirements under 2 CFR 200, Subpart E and EDGAR, as well as objectives of each grant.

Generally, when analyzing whether a particular cost is permissible, it is useful to perform the following analysis:

- Is the cost specifically included in the District’s approved grant budget?
- Is the cost forbidden by Federal laws such as 2 CFR 200, Subpart E or EDGAR? (see below for examples)
- Is the cost permissible under the relevant Federal program?
- Is the cost consistent with the Federal cost principles in 2 CFR 200s?
- Is the cost consistent with program specific fiscal rules?
- Is the cost consistent with an approved program plan and budget, as well as any special conditions imposed on the grant?

While there are other important considerations District staff must take into account when analyzing whether a specific proposed cost is permissible, the above questions can provide a useful framework for the analysis.

FEDERAL COST PRINCIPLES

The Omni-Circular defines the parameters for the permissible uses of Federal funds. While there are many requirements contained in it, it includes core principles that serve as an important guide for effective grants management. These core principles require all costs to be:

- **Necessary** for the proper and efficient performance or administration of the program.
- **Reasonable.** In other words, it should be clear to an outside observer why a decision to spend money on a specific cost made sense in light of the cost, needs, and requirements of the program and that sound business practices were followed and purchases were comparable to current market prices.
- **Allocable** to the Federal program that paid for the cost. Under 2 CFR §200.405, this means that a program must benefit in proportion to the amount charged to the Federal program—for example, if a teacher is paid 50% with Title I funds, the teacher must work with the Title I program/students at least 50% of the time. This also means that recipients need to be able to track items or services purchased with Federal funds so they can prove they were used for Federal program purposes.
- **Authorized** under state and local rules. This means all actions carried out with Federal funds must be authorized and not prohibited by state and local laws and policies.
- **Adequately documented.** A recipient must maintain proper documentation so as to provide evidence to monitors, auditors, or other oversight entities of how the funds were spend over the lifecycle of the grant.
- **Consistent with policies and procedures.** The same policies and procedures should apply uniformly to both federally-financed and other activities of the District. For example, personnel whose travel is paid with Federal funds is reimbursed at the same rates as personnel whose travel is paid with state or local funds, and the grant is charged accordingly.
- **Not included as a match or cost-share.** An element of cost should not be included as a match or cost-share of another federal program, unless the specific Federal program authorizes Federal costs to be treated as such. Some Federal program statutes require the grantee to contribute a certain amount of non-federal resources to be eligible for the Federal program.
- **Net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges, such as credits. To the extent that such credits accruing to or received by the District relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

The Omni-Circular also contains specific rules on selected items of costs. Costs must comply with these rules in order to be paid with Federal funds.

ALLOWABLE COSTS

Costs that may be Allowable under 2 CFR 200, Subpart E Under Specific Conditions:

<u>FS-10 Budget Item</u>	<u>Citation</u>
Professional and support salaries	\$200.430
Purchased services	2 CFR II Contract provisions
Supplies and materials	\$200.453
Travel expenses	\$200.474
Employee benefits	\$200.431
Equipment	\$200.439

Budget Items for Other Grants

Advisory Councils	\$200.422
Audit costs and related services	\$200.425
Bonding costs	\$200.427
Conferences	\$200.432
Depreciation	\$200.436
Employee health and welfare costs	\$200.437
Insurance and indemnification	\$200.447
Maintenance, operations, and repairs	\$200.452
Memberships and subscriptions	\$200.454
Professional service costs	\$200.459
Proposal costs	\$200.460
Publication and printing costs	\$200.461
Rental costs of building and equipment	\$200.465
Training costs	\$200.472

COSTS FORBIDDEN BY FEDERAL LAW

2 CFR 200, Subpart E identifies certain costs that may never be paid with Federal funds. The following list provides examples of such costs. If a cost is on this list, it may not be supported with Federal funds. The fact that a cost is not on this list does not mean it is necessarily permissible. There are other important restrictions that apply to Federal funds, such as those detailed in 2 CFR 200s; thus, this list is not exhaustive.

UNALLOWABLE COSTS UNDER 2 CFR 200, Subpart E

- Advertising and public relations costs (with limited exceptions), are prohibited; includes promotional items and memorabilia, including models, gifts, and souvenirs
- Alcoholic beverages
- Bad debts
- Contingency provisions (with limited exceptions)
- Fundraising and investment management costs (with limited exceptions)
- Donations
- Contributions
- Entertainment (amusement, diversion, and social activities and any associated costs)
- Fines and penalties
- General government expenses (with limited exceptions pertaining to Indian tribal governments and Councils of Government (COGs))
- Goods or services for personal use
- Interest, unless specifically stated in §200.441 as allowable

UNALLOWABLE COSTS UNDER EDGAR (PART 76)

- The use of funds for religion
- The acquisition of real property (unless specifically permitted by programmatic statute or regulations which is very rare in Federal education programs)
- The use of funds for construction (unless specifically permitted by programmatic statute or regulations which is very rare in Federal education programs)
- Charging tuition or fees collected from students toward meeting matching, cost sharing, or maintenance of effort requirements of a program

PROGRAM ALLOWABILITY

Any cost paid with Federal education funds must be permissible under the Federal program that would support the cost.

Many Federal education programs detail specific required and/or allowable uses of funds for that program. Issues such as eligibility, program beneficiaries, caps or restrictions on certain types of program expenses, other program expenses, and other program specific requirements must be considered when performing the programmatic analysis.

Costs must be consistent with the purposes of the program in order to be allowable.

PROGRAM SPECIFIC FISCAL RULES

All Federal education programs have certain program specific fiscal rules that apply. Determining which rules apply depends on the program; however, rules such as supplement, not supplant, maintenance of effort, comparability, caps on certain uses of funds, etc. have an important impact when analyzing whether a particular cost is permissible.

Many state administered programs require LEAs to use Federal program funds to supplement the amount of state, local (and in some cases other Federal) funds they spend on education costs, and not to supplant – or replace – those funds. Generally, the “supplement, not supplant” provision means that Federal funds must be used to supplement the level of funds from non-Federal sources by providing additional services, staff, programs, or materials. In other words, Federal funds normally cannot be used to pay for things that would otherwise be paid for with state or local funds (and in some cases with other Federal funds).

Auditors generally presume supplanting has occurred in three situations:

- District uses Federal funds to provide services that the District is required to make available under other Federal, state, or local laws.
- District uses Federal funds to provide services that the District provided with state or local funds in the prior year.
- District uses Title I, Part A or Migrant Education Program funds to provide the same services to Title I or Migrant students that the District provides with state or local funds to nonparticipating students.

These presumptions apply differently in different Federal programs, and also in school wide program schools. Staff should be familiar with the supplement not supplant provisions applicable to their program.

INDIRECT COST RATE

The New York State Education Department (NYSED) calculates the restricted and unrestricted cost rates for all School Districts within the State of New York. NYSED issues a memo annually to the District stating the restricted and unrestricted costs rates to be used by the District, the period of time the rates are to be used for, and the types of programs/grants that the rates are to be used for.

Applying the Indirect Cost Rate

The Indirect Cost Rate percentage is multiplied against the actual direct costs (excluding distorting items such as equipment, contracts in excess of \$25,000, pass—through funds, etc.) incurred under a particular grant to produce the dollar amount of indirect costs allowable to that award (34 CFR §75.564; 34 CFR §76.569). Once the District applies the approved rate, the funds that may be claimed for indirect costs have no Federal accountability and may be used as if they were non-federal funds. For Direct Grants, reimbursement of indirect costs is subject to the availability of funds and statutory or administrative restrictions (34 CFR §75.564).

APPROVED PLANS, BUDGETS AND SPECIAL CONDITIONS

As required by Omni Circular, all costs must be consistent with approved program plans and budgets. This includes the District's Consolidated Application to the NYSED Department of Public Instruction and school-level plans such as school wide plans.

Costs must also be consistent with all terms and conditions of Federal awards, including any special conditions imposed on the District's grants.

REVISION OF BUDGET AND PROGRAM PLANS

The budget plan is the financial expression of the project or program as approved during the federal grant application process. It shall be related to performance for program evaluation purposes whenever appropriate.

During the year, funding strategies may change for a variety of reasons. If an allowable cost is not in the original budget, a budget amendment must be submitted prior to the submission of the grant claim.

Approval shall be obtained whenever any of the following changes are anticipated under a non-construction award:

- Revision which would result in the need for additional funding.
- Cumulative transfers among direct cost categories, or among separately budgeted programs, projects, functions, or activities which exceed or are expected to exceed ten percent of the current total approved budget.

Districts are required to report deviations from budget and program plans, and request prior approvals for budget and program plan revisions to the New York State Education Department (NYSED), in accordance with this section.

Districts shall request prior approvals from NYSED for one or more of the following program or budget related reasons:

- Change in the scope or the objective of the project or program (even if there is no associated budget revision requiring prior written approval).
- Change in a key person specified in the application or award document.
- The need for additional District funding.
- The transfer of amounts budgeted for indirect costs to absorb increases in direct costs, or vice versa, if approval is required by NYSED.
- The inclusion of costs that require prior approval in accordance with the Omni-Circular.
- The transfer of funds allotted for training allowances (direct payment to trainees) to other categories of expense.
- Unless described in the application and funded in the approved awards, transfer, or contracting out of any work under an award. This provision does not apply to the purchase of supplies, material, equipment or general support services.

When requesting approval for budget and program plan revisions, Districts shall use NYSED provided grant modules that were used in the application process. District personnel should be aware of NYSED imposed time frames and other restrictions (if any) for budget revisions.

TRAINING

The District will provide training on the allowable use of federal funds to all staff involved in federal programs through activities such as:

- Distributing federal guidance documents;
- Distributing District policies and procedures;
- Developing templates, checklists and other guidance documents as appropriate;
- Internal training sessions;
- Routine staff meetings; and
- Informal technical assistance.

Districts will promote coordination between all staff involved in federal programs through activities such as:

- Routine staff meetings;
- Joint training sessions;
- Policies and procedures that address all aspects of Federal grants management;
- Sharing information that has cross-cutting impact such as single audits, monitoring reports, letters from oversight entities, etc.

SANCTIONS

Any District employee who violates this Procedure will be subject to appropriate discipline as reflected by comments to be placed in their personnel file.

PROCEDURES

Before Developing the Grant Budget and Submitting the Application: The grant budget must be based on the proposed activities planned and described in the grant application. Prior to developing the budget, the program manager must know the intent of the federal program and the activities that are allowable to be conducted with grant funds. For the purposes of this section, the program manager may be the Director of Student Services, Director of Pupil-Personnel Services, Title I Coordinator or any individual specifically designated by the Superintendent to manage a grant program. The program manager must coordinate with other District staff as appropriate to conduct the appropriate needs analysis using the appropriate data to determine the goals and objectives for the program and the activities that will be implemented to accomplish the goals and objectives. Once the goals, objectives, strategies, and activities are outlined, then the budget to carry out the identified strategies and activities should be developed.

Prior to completing the application, the program manager develops a detailed budget in a document (such as in an Excel spreadsheet) separate from the application, although it is advisable to use the FS-10 Budget Form as a template to make the submission process more efficient. The program manager coordinates with the District's Business Official in preparing the budget to ensure budgeted items are categorized according to the proper account codes. This detailed budget, which serves as the guide for expenditures and becomes part of the "working papers" maintained by the program manager, is used to complete the application. In most instances, particularly for formula grants, the budget entered into the grant application will not be as detailed. The detailed budget is to be modified or revised as necessary to accommodate changes, which may result in an amendment to the application prior to incurring certain expenditures.

In addition, the program manager will work with stakeholder advisory groups to develop needs assessments before grant activities are budgeted. Collaboration with other District programs and any private schools attended by district students, for some grant funds, is a part of this process so that there is efficient use of resources.

Reviewing and Approving the Budget Prior to Submitting the Application Prior to submitting the grant application, the budget is reviewed by the program manager and the Business Official. Once they have verified that planned expenditures are properly coded and the total grant amount is correct, the grant is submitted by the Superintendent.

At least two weeks prior to the grant due date the program manager and Business Official review the items in the proposed budget to ensure budgeted items are listed in the correct account codes according to grant guidance and the District's classification chart and to ensure the items are allowable. The budget is also reviewed to ensure that any costs requiring specific or prior approval are specifically identified and listed. If the program manager or Business Official determines that a cost is not allowable, then a change is made to either reduce the grant amount or re-direct the unallowable cost to an allowable cost before submission by the Superintendent.

If a specific item of cost is determined to be unallowable the program manager would inform

the Business Official and remove the cost from the application and/or budget. If the

expense has already occurred and then determined to be unallowable, the Business Official would make a journal entry removing that expense from the budget and reclassifying it to a more appropriate location.

Once the program manager determines that all budgeted items are allowable and are budgeted in the proper account codes, the budget is sent to the Business Official. Generally, the budget receives final approval one week prior to the submission of the grant.

Negotiating the Submitted Application

Once the grant application is submitted to the awarding agency, the designated program contact, usually the program manager assigned to the grant program, is available via phone and/or e-mail in the event that the awarding agency needs to contact the District to negotiate the application or to ask questions or seek clarification related to the proposed program and/or budget. The assigned program manager will seek guidance, if needed, from appropriate District personnel and will respond to any inquiries from the awarding agency as soon as possible but no later than three days. A delay in contacting the awarding agency delays final approval of the grant application, which delays grant program implementation and providing services to intended beneficiaries of the grant.

After Receiving the Approved Application

Within a short time of receiving the approved application from the awarding agency, a complete copy of the application will be provided to the responsible program manager by the Business Office Secretary.

If the grant application is approved as submitted, Business Official takes the necessary steps (detailed below) to enter the detailed budget into the budget system. If the award is for a different amount, the program manager will adjust the detailed budget to reflect the change and then coordinate the budget changes with the Business Official.

All grant budgets are entered into the accounts of the District in the general ledger as approved in the application. Once entered, the Business Official approves the budget, and the budget is ready for activity.

In addition, the following steps are taken to ensure the District is prepared to implement the grant on the beginning date of the grant to maximize the effectiveness of the grants.

Staff hired to work at the District are expected to be highly qualified and well prepared for the position. Program managers manage their programs and budgets according to all Federal, state and local rules. Staff is trained on local policies and procedures in order to ensure timely and effective grant implementation. The Business Official or the Superintendent must approve all grant-related expenditures.

Program managers review their budgets at least monthly to determine if the program

expenditures are being effectively managed. Both program implementation and budgets are reviewed at that time. Program managers review their budgets quarterly with the Business Official and curriculum leaders to ensure program and budget implementation is aligned with current District needs and initiatives.

As program managers review their budgets and determine changes are needed, they will work with the Business Official to request budget changes and/or amendments to the grant or contract. The Superintendent, Business Official, and program manager will determine if budget changes need to occur. If there are changes to the budget, the program manager will submit the budget changes for the Superintendent's approval.

Program managers will complete any program or compliance reports required by the awarding agency. If the report is due the authorized official must submit. Program managers will coordinate with the District's authorized officials prior to the submission date to ensure all deadlines are met.

Amending the Application

The District consults and complies with the guidelines and procedures provided by the awarding agency as it pertains to when and how to submit an amendment to an approved application. Procedures are in place to ensure the District does not exceed any maximum allowable variation in the budget.

Monitoring and Amending the Budget and Program Description:

Each federal program manager monitors their budgets monthly. Each month the federal program manager reviews the expenses to ensure that all funds will be expended in the allowable time frame. Any budget change requests are submitted and approved by the Business Official or Superintendent. If the expenditures or program changes needed require an amendment the Federal program manager completes the amendment and submits the budget changes to the Superintendent for submission. Each awarding agency, and/or fund, has a different process for amending the program and budget. The program manager is responsible for understanding the requirements and submitting amendments in the appropriate manner. Program managers review each budget and make determinations regarding the expenses. They discuss both budget and program performance to ensure all funds are spent in an allowable manner that is approved in the application by the awarding agency.

Changes to payroll are requested by the Payroll department monthly and are due by the 15th of each month. Changes to payroll are submitted through the Business Official and are effective based on the new payroll date. If this creates a change in how an employee conducts time and effort the employee and their supervisor will be notified of the change and the effective date. The program manager then updates the employee's job description to match.

Attachments to Procedure:

- Important Sections of the Federal Register Rules and Regulations-Omni-Circular
- Refer to the following link providing NYSED Instructions for IDEA Part B Section 611 and 619 Grant Application and Budget Documents: <http://www.p12.nysed.gov/specialed/finance/2019-20-idea-application-instruction-memo.html>

Legal References:

Education Department General Administrative Regulations

Federal Education Program Statutes

General Education Provisions Act

Omni-Circular

WRITTEN PROCEDURES

Payment §200.302(b)(6) Written procedures to implement the requirements of §200.305 Payment.

RECEIVING FUNDS

A. Cash/Check Received

- The individual (teacher, secretary, etc.) turning in cash/checks to the school (financial) secretary will present it with a list of payees and amounts using a summary sheet. They will issue receipts for all cash/checks and give duplicates of these receipts to the school (financial) secretary.
- The school (financial) secretary reconciles the amount, letting the depositor (teacher, secretary, etc.) know of any discrepancies and issues a receipt for the total of the funds. The cash/checks are then sent to the business office with a copy of the summary sheet via the district messenger.
- The business office secretary logs the cash/checks in the Cash/Check Receipts Log Book indicating the date, amount, check number or cash receipt number. The business office secretary gives the deposit(s) to the deputy treasurer who prepares the deposit slip. The deputy treasurer makes a copy of the deposit slip and attaches copies of all the checks, as well as the summary sheet received from the school. The district messenger then deposits the cash/checks at the bank. The district messenger brings back a copy of the deposit slip and the bank deposit receipt to the deputy treasurer. A record signed by both the deputy treasurer and the district messenger indicating the date, time and amount of the deposit must be kept in the business office.
- The business office verifies all deposits via online banking or through monthly bank statements.
- Deposits are receipted into financial accounting software by the business office staff.
- Cash/Checks received for lunch payments are counted by the cook and a food service worker and placed in a sealed bank bag. Both individuals initial the bank deposit slip. The cook and the food service worker record the amount on the sealed bank bag on the line designated for this amount and both put their initials next to the amount. The district messenger on a daily basis picks up the sealed bank bag from each school and signs the log book which states the date and the amount of the deposit. The district messenger brings the sealed bank bags to the child nutrition account clerk. The child nutrition account clerk records the amount of the deposit for each school into a deposit log. The district messenger then deposits all sealed bank bags in the bank drop box on a daily basis. The district messenger on a weekly basis picks up the deposit slips from the sealed bank bag deposits from the bank and gives them to the child nutrition account clerk who compares them to the deposit log. The child nutrition account clerk submits the bank deposits from the sealed bank bag deposits on a weekly basis to the business office via the district messenger.
- All government aid payments are received via ACH to the district Clearing Account. The business office enters the cash receipts into the financial accounting software each month.
- The Business Office reconciles all bank accounts on a monthly basis.
- The Business Office transfers funds online between bank accounts as needed and has sweep accounts to utilize bank investment accounts.

B. Federal Grants

- Budget is created and updated by grant administrator and approved by business manager in addition to the superintendent. The budget is submitted to the appropriate grant office using form FS-10.
- Expenditures must be approved by individual grant administrator along with the Purchasing Agent. All expenditures must fall within the grant guidelines of the submitted budget.
- Receipts must be turned into business office showing items matching the budget and signed off by the grant administrator.

C. Claims

- Grant administrator approves expenditures and claims are filed quarterly by business manager or designated person(s).
- Claims are monitored and approved by the superintendent or business manager each quarter.
- District will provide funds for grants to cover grant expenditures until they are reimbursed through the claim process.
- Claims not paid in a reasonable amount of time will be investigated by the business manager or designated persons.

D. Receipt of Claim

- The Treasurer verifies funds are received through bank records.
- The deposit records are entered into financial accounting software by the business office.
- Receipts will be reconciled with the claim and discrepancies will be investigated.

The District utilizes various bank accounts. Accounts include:

Clearing Account

Federal Fund Checking Account

Payroll Account

The District must minimize the time elapsing between the transfer of funds from NYSED and the disbursement by the District whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means.

COMPENSATION-PERSONAL SERVICES EXPENSES AND REPORTING

COMPENSATION-PERSONAL SERVICES EXPENSES

Costs of personal service compensation are allowable for a federal award to the extent that they satisfy the specific requirements of federal statute §200.430 Compensation—personal services. Charges to Federal awards must be based on records that accurately reflect the work performed. These records must:

- Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated
- Be incorporated into the official records of the sub recipient

Compensation for employees engaged in work on federal awards will be considered reasonable to the extent that it is consistent with that paid for similar work in other activities of the District.

PROCEDURES

All employees paid with Federal funds must adhere to the procedures to complete the appropriate personnel records. These procedures also apply to employees paid with non-Federal funds that are used as a match (or in-kind contribution) in a Federal program. The personal service compensation must reasonably reflect the total activity for which the employee is compensated by the subrecipient and cannot exceed 100% of compensated activities.

A. Determining Cost Objectives

Process Owners: Director of PPS

A cost objective is defined as a Federal grant award or other category of costs the District used to track specific cost information. In certain circumstances, the District may track the time employees spend on particular activities within a single Federal grant in order to demonstrate compliance with Federal requirements such as earmarks, set-asides or match/in-kind contributions. When the District uses employee compensation costs to meet these requirements they are known as “cost objectives.” In such a circumstance, an individual grant programs may have more than one cost objective.

The Director of PPS will determine the cost objective for each employee and the Assistant Business Administrator will provide appropriate means of documenting time spent on activities to satisfy the Federal grant requirements.

B. Standards for Documentation

Process Owners: Director of PPS

Charges for federal awards for salaries and wages must be based on records that accurately reflect the work performed. In accordance with §200.430, these records must:

- Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated. Be incorporated into official records
- Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities
- Encompass both federally assisted and all other activities compensated by the District on an integrated basis
- Comply with the established accounting policies and practices for the District, and
- Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on:
 - More than one federal award
 - A federal award and non-federal award
 - An indirect cost activity and direct cost activity
 - An unallowable activity and a direct or indirect activity

All employees who are paid in full or part with federal funds must keep specific documents to demonstrate the amount of time they spend on grant activities. This includes an employee whose salary is paid with state or local funds but is used to meet a required match or cost share for a federal program. These documents, known as time-and-effort records, are maintained in order to charge personnel costs to federal grants. Time and effort records must be maintained contemporaneously (as work occurs) and must contain the following elements:

- The activity (a brief description of what the employee did)
- Time frame (the amount of time it took the employee to do the work), and
- Funding source/program or other cost objective

Time-and-effort records must also:

- Be executed after the work is completed, and not before
- Account for the total activities of the employee (100% of their time) including employees working part time or overtime
- Specify the reporting period
- Be signed and dated by the employee
- Time and Effort records will be filed in the Business Office and will be retained as per Record Retention Schedule ED-1.

C. Multiple Cost Objective Employees

Employees working on multiple cost objectives need to support the distribution of the compensation among cost objectives if the employee works on multiple, unrelated activities per grant guidelines. The federal grant sub recipient determines process to determine what amount gets charged to the grant.

- Sample Time and Effort records can be found in the Business Office.

D. Reconciliation

Process Owners: Assistant Business Administrator

It is the District's practice to charge employee compensation costs to Federal programs based on budget estimates that reasonably approximate how an employee will work during the year. Documentation records should be adjusted in a timely manner if there are significant changes in the employee's work activity. District will reconcile payroll charges reflected in employee records at least annually, however it is recommended that the reconciliation occur quarterly or semi-annually. The District needs to determine if the time necessary maintaining supporting documentation is worth charging as a direct cost onto a Federal grant.

If the District identifies a variance between how an employee's salary was charged and how the employee actually worked, the District will adjust its payroll charges so that the amount charged to Federal funds reflects the employee's actual time and effort. The District will perform the adjustment at least annually; however, it is recommended that the reconciliation occur quarterly or semi-annually. The final claim form should reflect actual (reconciled) amounts, not budget estimates.

All necessary adjustments must be made such that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

E. Document Retention

Process owners: Assistant Business Administrator

Time and Effort records must be maintained for a period of five (5) years.

Legal References: 2 CFR, Part 225,
Federal Statutes §200.430 Compensation—Personal Services
General Education Provisions Act
Omni-Circular

§200.302 Financial management.

(a) Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the state's and the other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. See also §200.450 Lobbying.

(b) The financial management system of each non-Federal entity must provide for the following (see also §§200.333 Retention requirements for records, 200.334 Requests for transfer of records, 200.335 Methods for collection, transmission and storage of information, 200.336 Access to records, and 200.337 Restrictions on public access to records):

(1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.

(2) Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §§200.327 Financial reporting and 200.328 Monitoring and reporting program performance. If a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. This recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand. Similarly, a pass-through entity must not require a sub recipient to establish an accrual accounting system and must allow the sub recipient to develop accrual data for its reports on the basis of an analysis of the documentation on hand.

(3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

(4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See §200.303 Internal controls.

(5) Comparison of expenditures with budget amounts for each Federal award.

(6) Written procedures to implement the requirements of §200.305 Payment.

(7) Written procedures for determining the allow ability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

Adoption date: September 17th, 2020

POLICY



No. 6741

CONTRACTING FOR PROFESSIONAL SERVICES

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

CONTRACTING FOR PROFESSIONAL SERVICES

The Board of Education will make certain that professional services are secured in a manner that protects the integrity of the process, ensures the prudent use of taxpayer dollars and provides a high quality standard of service, in accordance with law and regulation. Professional services are defined as services requiring special skill and/or training, such as legal services, medical services, auditing services, property appraisals or insurance.

Purchasing professional services does not require competitive bidding. The Board directs the Superintendent to take measures to ensure that a highly qualified professional is secured through the prudent and economical use of public money, which may include, but is not limited to:

1. reviewing trade journals;
2. checking professional listings; and/or
3. inquiring of other districts or other appropriate sources.

The designated district staff will prepare a comprehensive written request for proposals (RFP), which will contain critical details of the services sought. The RFP will specify that the proposal include the structure of the relationship between the district and the provider, including, if applicable, the terms of the retainer, the hourly fees and other associated costs.

In reviewing the RFPs, the district will consider, at a minimum, the following factors:

1. the suitability of the individual/firm for the district's needs;
2. the special knowledge or expertise of the individual/firm;
3. the credentials and applicable certifications of the individual/firm;
4. the quality of the service provided by the individual/firm;
5. cost;
6. the staffing available from the firm or the time available from the individual; and
7. the individual/firm's commitment to workplace diversity, working with Minority and Women-owned Business Enterprises (MWBs), and compliance with applicable laws and regulations prohibiting unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status.

The district will periodically, but not less frequently than every six years, issue professional service RFPs and may conduct interviews as part of the RFP process. The written proposals submitted by applicants shall be maintained for at least six years.

The Superintendent, after a thorough review of the proposals, in consultation with the Purchasing Agent and the Assistant Superintendent for Finance and Operations will recommend the professional service provider best suited to the district to the Board of Education for its approval.

Regardless of when during the year the professional service provider was engaged by the Board, at the annual organizational meeting the Board will appoint the attorney, physician, external auditor, or other professional, as applicable. Professional service providers selected and appointed in this manner will not be considered employees of the district.

The Superintendent is charged with developing administrative procedures to implement this policy.

Cross-ref: 2210, Board Annual Organizational Meeting
9500, Compensation and Benefits

Ref: General Municipal Law § 104-b
2 NYCRR §§ 315.2, 315.3
Trane Co. v Broome County, 76 A.D.2d 1015
Appeal of Lombardo, 38 Educ. Dept. Rep. 730
Opn. St. Comp. 92-33

Adoption date: November 15, 2018

POLICY



No. 6900

SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY

Sale of School Property

No school property will be sold without prior approval of the Board of Education. Building administrators and support staff supervisors are responsible for identifying obsolete or surplus equipment and supplies within their area(s) of responsibility.

Periodically, a determination shall be made of which equipment, supplies, and/or materials are obsolete and cannot be salvaged or utilized effectively or economically by the school district. Such equipment, supplies, or materials shall be sold through bid procedures, if possible, for the highest possible price.

The net proceeds from the sale of school property will be deposited in the General Fund.

Disposal of District Property

Equipment

Following approval by the Board of Education, School District equipment that has been determined to be obsolete, surplus, or unusable by the District will be disposed of in such a manner that is advantageous to the District.

The Superintendent will be responsible for selling the equipment in such a way to maximize the net proceeds of sale, which may include a bona fide public sale preceded by adequate public notice.

In the event of a public sale, notice of availability of such equipment, supplies and materials and request for bids shall be disseminated through announcements in local newspapers and such other appropriate means. The general public, as well as staff members who are not Board members, officers, or involved in the purchasing function, shall be eligible to bid on the equipment, supplies and/or materials.

If it is determined that reasonable attempts to dispose of the equipment have been made and such attempts have not produced an adequate return, the Superintendent or his/her designee may donate, or dispose of the equipment in any manner which he/she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal will adhere to the following order of preference:

- a. Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
- b. Donation to charitable organizations; or
- c. Recycle through appropriate means.

Adoption date: December 13, 2018